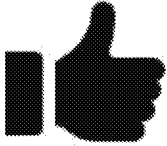


Message

---

**From:** Kyle, Lee [Kyle.Lee@epa.gov]  
**Sent:** 6/11/2019 8:04:06 PM  
**To:** Chiu, Enid [Chiu.Enid@epa.gov]; O'Neill, Sandra [ONeill.Sandra@epa.gov]; Anderson, Brian [Anderson.Brian@epa.gov]; Corbin, Mark [Corbin.Mark@epa.gov]; Kenny, Daniel [Kenny.Dan@epa.gov]; Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]; Baris, Reuben [Baris.Reuben@epa.gov]; Meadows, Sarah [Meadows.Sarah@epa.gov]; Kanarek, Andrew [Kanarek.Andrew@epa.gov]; Schmid, Emily [Schmid.Emily@epa.gov]  
**Subject:** RE: Dicamba ESA Requirements



Thanks Enid.

Lee

---

**From:** Chiu, Enid  
**Sent:** Tuesday, June 11, 2019 2:44 PM  
**To:** O'Neill, Sandra <ONeill.Sandra@epa.gov>; Kyle, Lee <Kyle.Lee@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>; Corbin, Mark <Corbin.Mark@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Baris, Reuben <Baris.Reuben@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Kanarek, Andrew <Kanarek.Andrew@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>  
**Subject:** RE: Dicamba ESA Requirements

Hi everyone,

Please see my notes from yesterday's call with OECA. Let me know if I have captured anything incorrectly. I will then send on to Mark Dyner for OGC's input. Thanks!

**Background**

The Bulletins Live! website directions include a directive to print out the information; however, there are no instructions about retaining the print out for a period of time. To enhance the ability of inspectors to determine compliance, we should add to the directions on the Bulletins Live! website, the requirement to retain the record for a specific period of time.

1. Can we require applicators to retain the printed information? How long should we require applicators to keep these records?

**Response 1:** The labels have record-keeping requirements of two years for buffer calculations and for keeping the labeling. Bulletins are an extension of the label and are used in buffer calculations, so users need to retain this printed information for two years.

2. How difficult is it to change the directions on Bulletins Live!? If the decision is made to make this change, when could/should this change happen given we are in the middle of the growing season?

**Response 2:** Changing the directions on Bulletins Live could be a lengthy process that requires public participation. It may be more timely to clarify the record-keeping requirements on the label if registrants are cooperative.

3. How this (requirement to print the information on Bulletins Live!) differs from other references on the dicamba labels to registrant websites for example, tank mixes and nozzles. Does that mean the applicator must also retain a copy of the registrant website, or the DriftWatch website to prove compliance with the label? SFIREG is requesting some type of written clarification or reference for enforcement purposes.

**Response 3:** There are record-keeping requirements on the labels for activities such as checking the applicable specialty crop registry, surveying fields, etc. Users must keep a record attesting to the dates these activities occurred; however, there is no requirement to print out the website.

—  
**Enid Chiu**

Communication Services Branch  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
(703) 347-8262 | [chiu.enid@epa.gov](mailto:chiu.enid@epa.gov)  
<https://www.epa.gov/pesticides>

-----Original Appointment-----

**From:** O'Neill, Sandra

**Sent:** Thursday, May 30, 2019 8:31 AM

**To:** O'Neill, Sandra; Galloway, Carol; Ambrosino, Helene; Teter, Royan; Cobb, Christina; Dyer, Brian; Laessig, Susan; Kyle, Lee; Anderson, Brian; Corbin, Mark; Chiu, Enid; Kenny, Daniel; Rosenblatt, Daniel; Baris, Reuben; Meadows, Sarah; Kanarek, Andrew; DCRoomPYS7731E/Potomac-Yard-One

**Cc:** Schmid, Emily

**Subject:** Dicamba ESA Requirements

**When:** Monday, June 10, 2019 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** PYS 7731E or Conference Line/Code / Ex. 6

Conference

Conference

Conference Line/Code / Ex. 6

Greetings all,

The purpose of this meeting is to discuss and answer the following questions pertaining to ESA requirements:

#### OECA

The Bulletins Live! website directions include a directive to print out the information, however there are no instructions about retaining the print out for a period of time. To enhance the ability of inspectors to determine compliance, we should add to the directions on the Bulletins Live! website, the requirement to retain the record for a specific period of time.

1. Can we require applicators to retain the printed information? How long should we require applicators to keep these records?
2. How difficult is it to change the directions on Bulletins Live!? If the decision is made to make this change, when could/should this change happen given we are in the middle of the growing season?

#### SFIREG

3. How this (requirement to print the information on Bulletins Live!) differs from other references on the dicamba labels to registrant websites for example, tank mixes and nozzles. Does that mean the applicator must also retain a copy of the registrant website, or the DriftWatch website to prove compliance with the label? SFIREG is requesting some type of written clarification or reference for enforcement purposes.

#### OPP (Reference for ESA BLT questions)

4. In response to SFIREGs request for a written reference for the requirement for a printed bulletin, EFED provided the following (from OGC):
  - a. The requirement for the applicator to print a copy of the bulletin is so the grower can establish the bulletin measures in place at the time of application. The point of printing a copy of the bulletin is so the applicator (e.g. grower) has a record documenting compliance with the requirements on the

label. The requirement to print the bulletin is clearly stated on the Bulletins Live Two (BLT) website (language provided below). Other requirements on the label (e.g. approved tank mix partners) are unrelated to the requirement to use Bulletins Live Two (BLT).

- Here are the instruction on BLT:

#### Protecting Endangered Species

Directions:: This search tool provides Pesticide Use Limitation Areas (PULAs) for pesticide active ingredients and products with active Bulletins. To access Endangered Species Protection Bulletins from this search tool:

1. Zoom to your intended pesticide application area:
  - a. Manually zoom to a location by dragging the map to your location and using the "+" and "-" buttons to zoom in and out, or
  - b. Enter your intended pesticide application area into the Location Search Tool to automatically zoom to that location.
2. Select your Application Month.
3. Optional: Refine your search by entering a specific active ingredient or product and click the "Search" button. (Default is all active ingredients and products).
4. Click on the PULA within your intended pesticide application area to activate the Results Tab with the associated limitations and print your Bulletin. If no PULA is present, click the "Search" button to activate the "No Limitations" dialog box and print your Bulletin.
5. To complete an additional search, use the "Clear All" button to clear your current results.